PART III—Section 2

NOTIFICATIONS BY THE HEADS OF DEPARTMENTS

JUDICIAL DEPARTMENT

HIGH COURT OF MYSORE, BANGALORE.

Notification dated the 29th November 1938.

R. O. C. No. 391—38-39.

SUBJECT :—

FORMS FOR DECREES IN REGULAR AND SECOND APPEALS IN THE HIGH COURT.

The appended forms for decrees in Regular and Second Appeals in the High Court, which the High Court proposes to prescribe, instead of those now in use, are published under Section 122 of the Code of Civil Procedure, for the information of all concerned. Any objection or suggestion which may be received from any person in regard to the proposed forms before the 4th January 1939 will be considered by the High Court.

T. SHAMIENGAR,
Registrar.

IN THE HIGH COURT OF MYSORE AT BANGALORE.

Draft decree form for Regular Appeals.

Decree of Appellate Court.
(O. 41 R. 35, C. P. Code).

H. C. No. 32, Civil

Present.

Chief Justice
Mr. Justice
and
Mr. Justice

REGULAR APPEAL No. of 19 -19

Appellant*..... *Vs.* Respondent*.....

This Appeal from the decree of the Court of the .... in .... of ..... on its file dated the ..... day of .... 19..... coming on for hearing on the..... ..... day of .... 19..... in the presence of Mr..... ....., Advocate, for the Appellant and Mr ...., Advocate, for the Respondent.

It is ordered and decreed that

* Here enter the word 'Plaintiff,' 'Defendant,' 'Decree-holder,' 'Judgment-debtor,' 'Petitioner' or 'Respondent,' as the case may be.

And it is further ordered and decreed that the
aforesaid do pay to the
aforesaid the sum of Rupees
being the amount of costs incurred by the latter in this Court with interest thereon at 6 per cent per annum from this date until the date of realization.

And it is further ordered and decreed that the
aforesaid do pay to the
aforesaid the sum of Rupees
being the amount of costs incurred in the lower Court with interest thereon at 6 per cent per annum from the date of the decree of the said lower Court to the date of realization.

Given under my hand and the seal of this Court, this day of 19

Seal *Registrar.*

Regular Appeal No. of 193 -193

MEMORANDUM OF COSTS INCURRED IN THIS APPEAL.

Value of R.A	By the Appellant			By the Respondent		
	Rs.	as.	p.	Rs.	as.	p.
Court fee on Memo of Appeal						
,, Application ...						
,, Power of Attorney ...						
,, Processes ...						
,, Copies of Decree and Judgment ...						
Advocate's Fee						
Costs of Adjournment						
Fees for copying						
Special Copying Charges ...						
Fees for translation						
Costs on Remand ...						
Printing Charges						
Total ...						

Deputy Registrar.

Advocate for Appellant. Advocate for Respondent.

IN THE HIGH COURT OF MYSORE AT BANGALORE.

Draft decree form for Second Appeals.

Decree of Appellate Court
(O. 41. R. 35, C. P. Code).

H. C. No. 32, Civil.

Present.

Chief Justice.
Mr. Justice
and
Mr. Justice

SECOND APPEAL No. 19 -19 .

Appellant*..... *Vs.* Respondent*.....

This Second Appeal from the decree of the Court of the .... in Regular Appeal No..... of.....on its file dated the ..... day of..... 19..... confirming / reversing / modifying the decree of the Court of .... in ..... of ....on its file dated the .... day of ....19..... coming on for hearing on the .... day of .....19..... in the presence of Mr..... ..... Advocate, for the Appellant and Mr ....., Advocate for the Respondent.

It is ordered and decreed that

And it is further ordered and decreed that the aforesaid do pay to the aforesaid the sum of Rupees being the amount of costs incurred by the latter in this Court with interest thereon at 6 per cent per annum from this date until the date of realization.

And it is further ordered and decreed that the aforesaid do pay to the aforesaid the sum of Rupees being the amount of costs incurred in the lower appellate Court with interest thereon at 6 per cent per annum from the date of the decree of the said lower appellate Court to the date of realization.

* Here enter the word 'Plaintiff,' 'Defendant,' 'Decree-holder,' 'Judgment-debtor,' 'Petitioner or 'Respondent,' as the case may be.

And it is further ordered and decreed that the
aforesaid do pay to the
aforesaid the sum of Rupees
being the amount of costs incurred in the trial Court with interest thereon at 6 per cent per annum from the date of the decree of the trial Court to the date of realization.

Given under my hand and the seal of this Court, this day of 193

Seal

Registrar.

Second Appeal No. of 193 -193

MEMORANDUM OF COSTS INCURRED IN THIS APPEAL.

Value of S. A.	By the Appellant			By the Respondent		
	Rs.	as.	p.	Rs.	as.	p.
Court fee on Memo of Appeal						
„ Application ...						
„ Power of Attorney ...						
„ Processes ...						
„ Copies of Decree and Judgment ...						
Advocate's Fee						
Costs of Adjournment						
Fees for Copying ...						
Special copying charges						
Fees for translation						
Costs on Remand						
Printing Charges						
Total ...						

Deputy Registrar.

Advocate for Appellant

Advocate for Respondent

IN THE HIGH COURT OF MYSORE AT BANGALORE.

Notification R.O.C. No. 597 of 38-39, dated 6th December 1938.

The following list of General Holidays for the Civil Courts in Mysore for the year 1939, approved by Government, is hereby published for information.

Days on which Holidays fall	Days of the week	Names of Holidays
January 2nd	Monday	New Year's day
January 14th	Saturday	Uttarayana Punyakala
February 17th	Friday	Sivaratri
March 2nd	Thursday	Last day of Muharram
March 22nd	Wednesday	Lunar New Year's Day
April 7th	Friday	Good Friday
May 29th	Monday	His Highness the Maharaja's Birthday.
June 8th	Thursday	Official observance of His Majesty the King Emperor's Birthday.
August 29th	Tuesday	Sravani (*Vide* Note 4 below)
September 16th	Saturday	Ganesha
October 12th	Thursday	Mahalaya Amavasya
October 13th	Friday	Commencement of Dasara
October 18th to October 28th (both days included).	Wednesday to Saturday	Dasara Holidays
November 10th	Friday	Deepavali
December 25th to December 30th	Monday to Saturday	Christmas Holidays

The following Partial Holidays may be granted to the members of the various sects concerned without deduction from the period allowed for the casual or other leave :—

HINDUS.

March 29th	Wednesday	Sri Ramanavami
April 13th	Thursday	Tamil New Year's Day
September 27th	Wednesday	Anantachaturdasi

MOHAMEDANS.

January 31st and February 1st	Tuesday to Wednesday	Bakrid
February 27th to March 1st	Monday to Wednesday	Muharram Holidays
April 19th	Wednesday	Akhri Charshumba
May 3rd	Wednesday	Id Meelad
September 28th	Thursday	Shab-e-barat
November 13th	Monday	Ramzan

CHRISTIANS.

February 22nd	Wednesday	Ash Wednesday
April 6th	Thursday	Easter Holidays
April 8th	Saturday	Easter Holidays
April 10th	Monday	Easter Holidays
April 11th	Tuesday	Easter Holidays
May 18th	Thursday	Accension Day

Note—(1) All Sundays are General Holidays

(2) The penultimate Saturday in every month will be a General Holiday.

(3) Holi Feast on the 5th March, Easter on the 9th April, Balipadyami on the 12th November, and Christmas Holidays on the 24th December and 31st December are omitted as they fall on Sundays.

(4) On account of Sravani, 29th August will be a General Holiday. Those who observe Sravani on the 28th August may have a holiday on that day also.

The Courts of Munsiff-Magistrates will have the Dasara Holidays from Wednesday 18th October to Saturday 28th October as regards their civil work; but as regards their criminal work the Dasara Holidays will be Friday the 20th and Saturday the 21st October 1938 only.

Under Section 22 of the Mysore Civil Courts Act, I of 1883, the High Court directs that all Civil Courts in the State subordinate to the High Court be closed from Monday the the 10th April 1939 to Saturday the 20th May 1939 (both days included).

The High Court will be closed for the annual vacation from Monday the 10th April 1939 to Saturday the 10th June 1939 (both days included). No application for admission of Civil Appeals or Civil Revision Petitions will be received in the High Court during the vacation except in urgent cases, where an injunction or an attachment or an order to stay proceedings is sought. Criminal Appeals and Criminal Revision Petitions will be received, and very urgent applications will be disposed of by the Vacation Judge.

Notification R. O. C. No. 392—38-39, *dated 5th December* 1938.

SUBJECT :—Amendment of Rule 5 (2) of Order XXXIV of the Code of Civil Procedure, 1911.

The following amendment which the High Court proposes to make, to Rule 5 (2) of order XXXIV of the Code of Civil Procedure, 1911, is published under Section 122 of the Code for the information of all concerned. Any objection or suggestion which may be received from any person in regard to the proposed amendment before the 11th January 1939, will be considered by the High Court.

Proposed amendment.

Substitute the following for the existing Rule 5 (2) of Order XXXIV of the Code of Civil Procedure, 1911 :—

" Where such payment is not so made, the Court on application made in that behalf by the plaintiff and after notice to all other parties shall, if no settlement, adjustment or order made after the preliminary decree for payment by instalments is proved, or if any amount is found due to be recovered by sale in accordance with such settlement, adjustment or order for payment by instalments, make a decree that the mortgaged property, or a sufficient part thereof, be sold, and that the proceeds of the sale be dealt with as is mentioned in rule 4."

T. SHAMIENGAR,
Registrar.

IN THE COURT OF THE DISTRICT JUDGE, BANGALORE DIVISION, BANGALORE.

Insolvency Case No. 15 *of* 1936-37.

A. Krishna Rao, son of Mr. A. Nanjundiah, residing at No. 9, Sri Rampur Extension, Malleswaram, Bangalore City ... ... *Applicant.* (*Insolvent.*)

Take notice that the abovenamed insolvent has applied at the Court for his discharge and that the Court has fixed the 22nd day of December 1938 at 11 o'clock, for hearing the application.

Dated this 29th day of November 1938.

S. VENKATARANGA IYENGAR,
District Judge.

IN THE COURT OF THE MUNSIFF AT KOLAR GOLD FIELDS.

Insolency Case No. 69 *of* 1934-35.

N A Abraham, son of A L Abrahmen, Foreman, Mysore Mines, Marikuppam ... ... *Petitioner.*

vs.

1. R B Bowrilal, Sowcar, Andersonpet, 2. Agent, P Juga Raj, Andersonpet, 3. B Theja Raj, Andersonpet, 4. A Rathanchand, Andersonpet, and 5. S Himmathmull, Andersonpet .. *Creditors.*

Take notice that the abovenamed insolvent has applied at the Court for his discharge and that the Court has fixed the 17th day of January 1939, at 11 o'clock for hearing the application.

Dated this 18th day of November 1938.